

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 01-436 DSD / SKD

UNITED STATES OF AMERICA,
Plaintiff,

v.

KATHRYN BURDICK,
SEVERIN CHMIELEWSKI,
DAYSTAR DEVELOPOMENT CORPORATION,
Defendants.

CONSENT ORDER

The United States initiated this action pursuant to the Fair Housing Act, 42 U.S.C. §3604. The parties desire to avoid costly and protracted litigation and agree that this dispute should be resolved. Therefore, the parties have agreed to the entry of this Consent Order, as indicated by the signatures appearing below.

Therefore, it is hereby, ORDERED as follows:

1. Monetary Payment: Within 30 days after entry of this Order the defendants shall pay the sum of \$4,500.00 to the complainants in full and final settlement of any and all claims made by complainants in connection with the conduct referenced in the attached Complaint. The payment shall be made by cashier's check made payable to "Kenneth Fisher and Jennifer Ihla" and forwarded to the Financial Litigation Unit, United States Attorneys Office, 300 South Fourth Street, 600 United States Courthouse, Minneapolis, Minnesota 55415. The United States will disburse this sum of money to the complainants. Prior to disbursement, the

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complainants shall execute a release of all claims that they may have against the defendants with respect to the subject matter of this order. A copy of the release form is attached hereto.

2. Training: Within 180 days after the date of entry of this Order, defendants shall attend a program of educational training concerning their responsibilities under federal, state, and local fair housing laws. Defendants shall have their attendance certified in writing by the person conducting the educational program and submit the certification to the United States Attorney's Office in the District of Minnesota.

3. Posting: Defendants agree to post a notice that indicates that all units are available on a nondiscriminatory basis. This notice shall be posted in a prominent location in all rental offices, and at all entrances to rental residential property owned, operated or managed by defendants, for a period of at least two years from the date of this Order.

4. Advertising: Defendants agree that, for a period of at least two years from the date of this Order, all advertising related to the rental of any dwelling owned, operated, or managed by defendants shall include the words "Equal Housing Opportunity." The words shall be prominently placed and legible.

5. Assurance of Compliance: Defendants agree to ensure compliance with all state and federal fair housing laws, and to ensure that all residential rental properties owned, operated or managed by them will be made available for rental on an equal basis

and under the same terms and conditions to all persons.

6. No Admission of Liability: It is agreed and understood that this Order is not to be construed as an admission of liability by Defendants.

7. Dismissal: This action is dismissed as to all parties with prejudice. This Court shall retain jurisdiction of this action only for purposes of enforcing this Order. The parties to this Order agree to make good faith efforts to informally resolve any differences regarding interpretation of and compliance with this Order, prior to bringing such matters to the Court for resolution. All parties agree to bear their own costs and fees.

The undersigned hereby agree to this Court's entry of this Order:

For the United States:

Dated:


3-8-01

ROBERT M. SMALL
United States Attorney

Joan D. Humes


BY: JOAN D. HUMES
Assistant U.S. Attorney
Attorney ID Number 214462
United States Attorneys Office
600 U.S. Courthouse
300 South Fourth Street
Minneapolis, MN 55415
(612) 664-5600

For Defendants:
Dated: *2/5/01*



PATRICK J. NEATON, Esq.
Attorney for Defendants
NEATON & PULICH
445 Lake Street, Suite 333
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(612) 473-8444

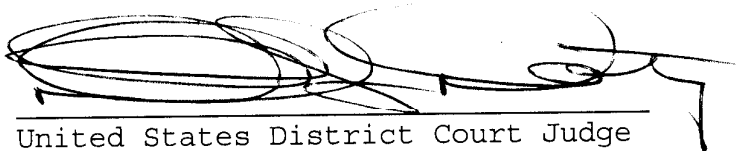
For Complainants:
Dated: *2/5/01*



RICHARD WAYMAN, Esq.
Attorney for Complainants
2222 Park Avenue South
Minneapolis, MN 55404
(612) 252-2735

IT IS SO ORDERED.

Dated: *3/12/01*



United States District Court Judge

LET JUDGMENT BE ENTERED ACCORDINGLY.